

**UNITED STATES DISTRICT COURT  
FOR THE Northern District of Illinois – CM/ECF NextGen 1.6.3  
Eastern Division**

Sia Henry, et al.

Plaintiff,

v.

Case No.: 1:22-cv-00125

Honorable Matthew F. Kennelly

Brown University, et al.

Defendant.

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**NOTIFICATION OF DOCKET ENTRY**

This docket entry was made by the Clerk on Wednesday, February 8, 2023:

MINUTE entry before the Honorable Matthew F. Kennelly: The Court summarizes its rulings from this morning's hearing as follows. For further details the parties should consult the transcript of the proceedings. (1) The Court hereby withdraws its comments during the hearing regarding the dispute over the number and length of depositions. That was the subject of a previous order entered on 1/23/2023 [273]. (2) Plaintiffs' motion for protective order regarding service of subpoenas upon plaintiffs' families [270] is denied regarding service of subpoenas upon family members. The Court has however limited the proper subjects for such subpoenas and has overruled some of the proposed document requests by defendants as more fully described during the hearing. (3) Defendants' motion to compel [275] is granted in part and denied in part as more fully described during the hearing. (4) Certain defendants' motion for protective order [276] is denied for the reasons stated during the hearing. The Court notes however that one or more of the points listed in item (6) below will limit the claimed burden upon the moving defendants. (5) Certain defendants' motion for entry of order regarding HEA statute and production of certain FAFSA information [306] is granted as stated during the hearing. (6) With regard to the joint status report filed on 1/13/2023 [274]: (a) The Court has declined for now to require objecting defendants to designate custodians from their president's and development offices. This is without prejudice to consideration of this issue later based on a more complete record as described during the hearing. (b) The Court limits plaintiffs to 100 production requests. Plaintiffs should promptly advise defendants of their selection. (c) Though not discussed at the hearing the Court overrules the defendants' contention that post-"withdrawal" material is not subject to discovery for defendants who claim to have withdrawn from the alleged conspiracy. The Court agrees with plaintiffs' contentions regarding the relevance of this material and does not find the request(s) for it to be disproportionate. (d) Though not discussed at the hearing The Court reaffirms its earlier statements that admissions scoring data is relevant and discoverable. (6) Defendants' motion for an extension of time for the production of structured data [313] is granted in part; the deadline is extended to 3/6/2023. (7) The parties are directed to file a status report on 2/10/2023 setting out what remaining issues identified in the parties' previous status reports and motions have not yet been ruled upon. This should include a cross reference to the previous submission(s). No further briefing or argument is authorized unless the Court specifically requests it hereafter. (8) The parties are directed to include in

a single e-mail to Judge Kennelly's proposed order e-mail address the appropriate version of the HEA/FAFSA order consistent with the Court's rulings and comments as well as any other long-form order they are asking the Court to enter. The Court does not believe however that it is necessary to enter a long-form order that further describes the rulings memorialized in the present entry. The case is set for a further telephonic status hearing on 4/10/2023 at 8:45 AM. A joint status report not to exceed 10 pages (excluding signature blocks) is to be filed on 4/3/2023. The following call-in number will be used for the hearing: 888-684-8852, access code 746-1053. The telephonic status hearing set for 3/10/2023 is vacated. Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the Court. Mailed notice. (mma, )

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